

September 2, 2008



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 14736
(FIRST REVISION)

EXPIRATION DATE: December 31, 2008

1. GRANTEE: Department of Defense
Scott AFB, IL
2. PURPOSE AND LIMITATION:
 - a. This emergency special permit authorizes the one-time, one-way transportation in commerce of Nitric acid, red fuming in alternative packaging and also authorizes transportation by cargo aircraft. This special permit provides no relief from the hazardous materials regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Table Column (9B) in that the material is forbidden for air transportation and § 173.227 in that alternative packaging is not authorized except as specified herein.

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5. BASIS: This emergency special permit is based on the application of Department of Defense dated July 24, 2008, and additional information dated August 6, 2008, submitted in accordance with § 107.117 and a determination that it is necessary for purposes of immediate national security and additional information dated August 29, 2008.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper shipping name	Hazard Class/ Division	Identification Number	Packing Group
Nitric acid, red fuming	8	UN2032	I, Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Packaging prescribed are 15 UN/1B1/X1.7/250 non-removable head aluminum drums, part number 225034YB55GA, conforming to that in Packaging Services, Inc. contract number DASG60-02-C-0083, report number 044, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA).

(2) The drums must be packaged on spill containment pallets, two pallets of six drums, and one pallet of three drums as shown on Miltec Corporation drawings on file with OHMSPA.

b. OPERATIONAL CONTROLS -

(1) The crating and blocking materials must be fabricated prior to loading the shipping containers and must conform to Miltec drawing numbers MT-A98T-A0067, MT-A98T-A0021, MT-A98T-A0030, MT-A98T-A0033, MT-A98T-A0017, MT-A98T-A0062, MT-A98T-A0065, and MT-A98T-A0104, on file with OHMSPA.

(2) The palletized loads must be loaded into one 20 foot freight container. The container may not contain

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any other hazardous or non-hazardous materials other than those necessary for this shipment.

(3) The shipment must be on under constant electronic monitoring. In the event of a leak, the monitoring system must notify the operator of the transport vehicle or aircraft immediately.

(4) When shipped by cargo vessel the container must be stowed on deck.

(5) Transportation under this special permit is authorized from Huntsville, AL to Pearl Harbor, HI.

(6) Air transportation is only authorized by cargo only aircraft under the exclusive use of the military.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modifications or changes are made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. MARKING -

(1) Each drum must be plainly and durably marked "DOT-SP 14736" as specified in § 172.301(c).

(2) Each overpack must be marked "INSIDE PACKAGING COMPLIES WITH DOT-SP 14736".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, cargo vessel, and cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.

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11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq.
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- "The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator

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for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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